

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 20-42413

ADRIAN LYNETTE PIPKINS,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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ORDER DENYING DEBTOR'S MOTION FOR RECONSIDERATION

This case is before the Court on the Debtor's motion entitled "Debtor's Motion to Set Aside Order Granting Motion for Production of Documents Pursuant to Fed. R. B. P. 2004 And To Take Deposition By Written Questions Pursuant to Bankruptcy Rules 7027 And 7031," filed on August 19, 2020 (Docket # 48, the "Motion"), which the Court construes as a motion for reconsideration of, and for relief from, the Court's July 28, 2020 Order entitled "Order Granting Motion for Production of Documents[, etc.]" (Docket # 41, the "July 28 Order"). The Court will deny the Motion, for the following reasons.

First, the Court finds that the Motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

Second, the allegations in the Motion do not establish excusable neglect under Fed.R.Civ.P. 60(b)(1), Fed.R.Bankr.P. 9024, or any other valid ground for relief from the July 28 Order.

Third, the Court finds that the Chapter 7 Trustee's motion and 14-day notice that led to the July 28 Order (Docket # 38) were validly served on the Debtor on July 7, 2020, by electronic service on the Debtor's attorney. The Court's records show that a notice of electronic filing of the motion and the notice was sent by e-mail to the Debtor's attorney by the Court's ECF system on July 7, 2020. (*See* attached). This was valid service on the Debtor, without the need for anything more. The fact that the Trustee's original certificate of service contained an error in the date is immaterial. And in any event, that error recently was corrected by the filing of a corrected certificate of service (Docket # 50).

Accordingly,

IT IS ORDERED that the Motion (Docket # 48) is denied.

Signed on August 20, 2020



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge

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"Motion for Examination (2004)" Ch 7 Content-Type: text/html

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U.S. Bankruptcy Court
Eastern District of Michigan

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Case Name: Adrian Lynette Pipkins

Case Number: [20-42413-tjt](#)

Document Number: [38](#)

Docket Text:

Motion for 2004 Examination , Motion to Take Deposition by Written Questions Pursuant to Bankruptcy Rules 7027 and 7031, with proposed order, notice and proof of service Filed by Trustee Michael Stevenson (Goll, Sonya)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:T:\Michael Stevenson\1 - H - Z\Pipkins, Adrian Lynette\motion for prodcution - extend\Ex Parte Motion for production (Tucker) and to extend obj discharge deadline.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1068232149 [Date=7/7/2020] [FileNumber=60214784-0] [1371e59b518c35eb666b1cde791651447e18ee759be66a4a5cc92ea889c6abf32a3 e1ca969b7e476da0d2b14b3afb8172c494859698dde4b13199c234982a4e6]]

20-42413-tjt Notice will be electronically mailed to:

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